

**PUBLIC WORKS/SAFETY COMMITTEE REPORT 12-09**  
**CITY OF WILLMAR**  
**TUESDAY, AUGUST 28, 2012**

A meeting of the Public Works/Safety Committee was called to order at 4:45 p.m. on Tuesday, August 28, 2012, by Chairman Doug Reese at the City Office Building. Members present were: Council Members Bruce DeBlieck, Rick Fagerlie, and Tim Johnson (substituting for Ron Christianson). Also present were: Mayor Frank Yanish; Charlene Stevens, City Administrator; Holly Wilson, Public Works Director; Dave Wyffels, Police Chief; Jared Voge, Bolton and Menk; and Janell Sommers, Recording Secretary.

**1. CONSIDERATION OF AIRPORT IMPROVEMENTS:**

Jared Voge of Bolton and Menk addressed the committee and presented the results of the August 9, 2012 bid opening for airport improvements that include crack seal and turf re-establishment. Only one bid was received in the amount of \$223,495, although there were multiple plan holders for the project. The Engineer's Estimate is \$190,500. Mr. Voge contacted the other plan holders following the bid opening and they indicated that due to time constraints, they were not confident that the work could be completed. Since only one bid was received for the project, Mr. Voge of Bolton and Menk and Public Works Director Wilson recommended that the bid be rejected and the project re-advertised. After some discussion, a motion was made by Council Member DeBlieck, seconded by Council Member Fagerlie, and passed for the following

**RECOMMENDATION:**

Reject the bid of Interstate Improvement of Faribault, MN for the airport project. (Motion)

Mr. Voge then proposed the project be divided into two bid requests. One being the restoration of the turf runway with seeding and fertilizing; and the other the bituminous crack and joint repair of the runway, taxiways and various areas around the buildings. Proceeding in this manner would allow the project to be completed by May 20, 2013 and presumably the City would receive better bid prices as contractors specializing in one or the other can bid as a general contractor. The improvements are to be funded by 70% State monies and 30% local funds with \$45,000 budgeted in the 2012 Capital Improvements. After some discussion, a motion was made by Council Member DeBlieck, seconded by Council Member Fagerlie, and passed for the following

**RECOMMENDATION:**

Approve the plans and specifications for the airport improvements and authorize advertisement for bids to be opened September 20, 2012.  
(Resolution)

**2. REVIEW OF BARKING DOG ORDINANCE (FOR INFORMATION ONLY):**

Review of the barking dog ordinance was requested to be brought before the committee. The current ordinance was developed in 2001. A violation exists if the dog habitually barks, bays or howls for at least three minutes with less than one minute of interruption and must be audible outside of the premises. The first and second violation the owner is typically issued a warning and the third time they must appear in court.

The committee discussed the ordinance briefly and Chief Wyffels stated he will look into it further to see if any other similar ordinances can be found that offer improvements regarding the handling of barking dog issues. Chief Wyffels will bring the findings back before the committee at a later date.

**3. CONSIDERATION OF ILLCIT DISCHARGE AND CONNECTION ORDINANCE:**

Public Works Director Wilson presented a draft Illicit Discharge and Connection Storm Water Ordinance for committee consideration. An ordinance is required by the Minnesota Pollution Control Agency as part of the City's future compliance with the MS4 Permit. The ordinance mostly pertains to discharge into catch basins and the gutter. Staff drafted the proposed ordinance from other examples including one provided from the Minnesota Pollution Control Agency. It was staff's recommendation to refer the proposed ordinance to the City Attorney for review prior to holding a hearing.

A motion was made by Council Member Fagerlie, seconded by Council Member Johnson, and passed for the following

**RECOMMENDATION:**

Refer the ordinance to the City Attorney for review.

**4. CONSIDERATION OF FOWL PERMIT:**

**801 SW 5<sup>th</sup> Street:** The City received an application for a fowl permit from Frank Johannes to keep three chickens at 801 SW 5<sup>th</sup> Street. Chief Wyffels recommended denying the permit based on issues that have already arisen. Mr. Johannes has knowingly violated the City ordinance by raising chickens without the permit and has been issued a citation to appear in court on the matter. The citation was prompted by a citizen complaining of noisy roosters at the residence. In checking no fowl permit was issued. A motion was made by Council Member DeBlieck, seconded by Council Member Johnson, and passed for the following

**RECOMMENDATION:**

To deny the request for a fowl permit at 801 SW 5<sup>th</sup> Street. (Motion)

There being no further business to come before the committee, the meeting adjourned at 5:13 p.m.

Respectfully submitted:

Holly Wilson, PE  
Public Works Director

Janell Sommers  
Recording Secretary